

## **REMARKS**

Claims 77, 80-82, 86, and 89-91 are currently pending in the application, claims 1-76, 79, 83-85, 88, and 92-94 having previously been canceled, and claims 78 and 87 being canceled by the present amendment without prejudice or disclaimer. Claims 77 and 86 are the only independent claims and have been amended to more clearly claim disclosed embodiments. No new matter has been added as the foregoing amendments have support in the specification as originally filed. For example, features of canceled dependent claims 78 and 87 are now recited in amended independent claims 77 and 86, respectively. Further support for the amendments can also be found, *inter alia*, in FIG. 7 of the present application.

Claims 77, 78, 80-82, 86, 87, and 89-91 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Beckmann et al. (“Beckmann” U.S. Pat. Pub. No. 2003/0035423) in view of LG Electronics Inc, “RAN considerations on MBMS,” TSG-RAN Working Group 2 Meeting #30, June, 2002 (“LG”) and further in view of Sarkkinen et al. (“Sarkkinen” U.S. Pat. Pub. No. 2003/0211855) and Siemens (“UTRAN Architecture Aspects for MBMS,” TSG-RAN Working Group Meeting #31, August 2002 (“Siemens”). Applicant respectfully traverses these rejections, and requests reconsideration and allowance of the pending claims in view of the following arguments.

### **Objection to Specification**

The Examiner objected to the specification as failing to provide proper antecedent basis for the claimed subject matter. Specifically, the Examiner asserted that claims 77 and 86 include the limitation “a MBMS point to multipoint traffic channel (MTCH) and the transport channel comprises a Forward link Access channel (FACH)” but there is no antecedent basis for the claimed recitation in the original specification.

With this paper, independent claims 77 and 86 have been amended and amended claims 77 and 86 no longer recite that the transport channel comprises a Forward link Access channel (FACH). With regard to the recitation of the “MBMS point to multipoint traffic channel (MTCH)” in independent claims 77 and 86, it is respectfully submitted that support for this limitation can be found at least in original claim 4 which has been canceled without prejudice. Accordingly, it is respectfully requested that the objection be withdrawn.

### **§ 112 Rejections**

The Examiner rejected claims 77, 78, 80- 82, 86, 87, and 89-91 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner asserted that while independent claims 77 and 86 include the limitation “a MBMS point to multipoint traffic channel (MTCH) and the transport channel comprises a Forward link Access channel (FACH),” Applicant was not in possession of the claimed invention at the time of the filing date in view of the disclosure in the specification.

In particular, the Examiner asserted that the specification discloses that the MTCH is mapped to a DSCH at page 13, line 4, that the transport channel could be a HS-DSCH at page 14, lines 10-11, and the mapping of MTCH to DSCH at page 19, lines 5-11 and page 20, lines 2-4. The Examiner further asserted that “when data of several MBMS multicast group is transmitted through the common transport channel such as FACH, DSCH or HS-DSCH” as disclosed at page 21, lines 23-24 of the specification as originally filed cannot be interpreted as implying a mapping of MTCH to FACH.

As discussed above, independent claims 77 and 86 have been amended and recite that the at least one logical channel is a MBMS point-to-multipoint traffic channel (MTCH) and the MTCH is mapped onto at least one transport channel. It is respectfully submitted that support for this feature recited in amended independent claims 77 and 86 can be found at least at the above identified portions of the specification as originally filed.

Accordingly, it is respectfully asserted that the grounds for the rejections of independent claims 77 and 86 have been overcome. It is further respectfully asserted that the grounds for the rejections of claims 78, 80- 82, 87, and 89-91 have also been overcome as those claims now depend from independent claim 77 or 86.

### **Rejection under 35 U.S.C. § 103(a)**

Claims 77, 78, 80- 82, 86, 87, and 89-91 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Beckmann in view of LG and further in view of Sarkkinen and Siemens.

With this paper, claims 78 and 87 have been canceled without prejudice. It is, therefore, respectfully submitted that the rejection is moot with respect to claims 78 and 87 and it is respectfully requested that the rejection be withdrawn.

With regard to the rejection of independent claim 77, the Examiner asserted, at pages 7-8 of the Office Action, that Siemens discloses “each of the first identifier and the second identifier is added by a MAC-c/sh layer that processes a common or shared data” and “the MAC-c/sh layer further performs a scheduling function or a priority handling function,” citing identification of the MSMS logical channel mapping of logical channels to common transport channels, identification of the MBMS services, scheduling of data transmission, and priority handling of Section 4.

Siemens discloses a “MAC-c/sh/m” entity located in the controlling RNC. See Section 4. However, it is noted that the “MAC-c/sh/m” disclosed in Siemens is not identical to the “MAC-c/sh” of independent claims 77 and 86. It is respectfully submitted that each of these two MAC entities have different functionalities, and therefore, they cannot be considered as the same MAC sub entity. At least for this reason, Siemens fails to disclose or suggest that each of the first identifier and the second identifier is added by a MAC-c/sh layer that processes a common or shared data, and the MAC-c/sh layer further performs a scheduling function or a priority handling function, as recited in independent claims 77 and 86.

Moreover, independent claims 77 and 86, as amended, recite that the first identifier is a TCTF (Target Channel Type Field) and the second identifier is an MBMS (Multimedia Broadcast/Multicast Service) identifier. Independent claims 77 and 86, as amended, further recite that the MBMS identifier is configured by a Radio Resource Control (RRC) layer.

In addition to the above discussed distinctions between independent claims 77 and 86 and the cited references, it is respectfully submitted that these features recited in amended independent claims 77 and 86 are not disclosed or suggested by any of the cited references. In particular, with regard to the features, wherein the first identifier is a TCTF (Target Channel Type Field) and the second identifier is an MBMS (Multimedia Broadcast/Multicast Service) identifier, currently recited in amended independent claims 77 and 86, and previously recited in canceled claims 78 and 87, the Examiner asserted on pages 5 and 8 of the Office Action, that Beckmann discloses these features in FIG. 2 and paragraphs [0051]-[0053]. However, even if the TCTF field and MC-ID of Beckman are analogous to the first identifier and second identifier, respectively, of independent claims 77 and 86 as asserted by the Examiner, it is respectfully submitted that Beckman in combination with LG, Sarkkinen, and Siemens fails to disclose or

suggest that the MBMS identifier is configured by a Radio Resource Control (RRC) layer, as recited in amended independent claims 77 and 86.

Accordingly, it is respectfully asserted that independent claims 77 and 86 are allowable over the cited combination of references. It is further respectfully asserted that claims 80-82, which depend from independent claim 77, and claims 89-91, which depend from independent claim 86, also are allowable at least by virtue of their dependency from their respective allowable base claims.

### **CONCLUSION**

In view of the above remarks, Applicant submits that the currently pending claims of the present application are in condition for allowance. Reconsideration of the application is requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned agent at the Los Angeles, California telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Customer No. 035884

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Respectfully submitted,

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Enclosure: Claims Correspondence Table